REMARKS

This communication is a full and timely response to the aforementioned final Office Action dated July 17, 2007. By this communication, claims 5, 8, and 13 are amended. Claims 5, 8, 13, and 14 remain pending. Reconsideration and allowance of this application are respectfully requested.

Rejections Under 35 U.S.C. §102

Claims 5, 8, and 13-14 were rejected under 35 U.S.C. §102(e) as anticipated by *Parulski et al* (U.S. Patent Publication No. 2003/0193603). Applicant respectfully traverses this rejection.

Applicant has amended claims 5, 8, and 13 to recite that a request from a portable terminal contains a coordinate of an enlargement reference point of said thumbnail image and an enlarging ratio relative to said thumbnail image such that an enlarged image generating part generates an enlarged image corresponding to the enlargement reference point of said thumbnail image and the enlarging ratio relative to said thumbnail image.

Parulski fails to establish a *prima facie* case of anticipation because it does not disclose or suggest every element recited in Applicant's claims.

Parulski describes a technique in which when a user selects a zoom icon 512 a phone 12 requests higher resolution data for a larger central image data area. The high resolution data is transmitted to the photo phone 12 and stored in a memory unit 64. (See paragraph [0066] and Figures 10a - 10c). One of ordinary skill would easily recognize that the zooming feature disclosed in *Parulski* does not perform this operation based on a reference point provided in a request from the photo phone 12. Rather, the higher resolution data appears to always be transmitted with respect to a

larger <u>central</u> image data area. In other words, the zooming technique of *Parulski* does not perform a zoom operation on the image using a coordinate of an enlargement reference point and an enlarging ratio relative to a thumbnail image provided in a request.

On page 4 of the Office Action, the Patent Office (PTO) alleges that the zoom function of *Parulski* contains a "predefined enlarging ratio relative to the image/document". Applicant disagrees, because if the PTO's interpretation is accurate, which Applicant does not believe that it is, there would be no need for the information corresponding to an enlarging ratio to be transmitted from the photo phone 12 to the service provider 280. Stated differently, because a user has no control over the size of the received zoom image, the user would have no need to send a value or parameter, such as an enlarging ratio, which indicates the size of the zoom image.

Parulski also does not disclose or suggest to Applicant's claimed coordinate enlargement reference point of the thumbnail image. As noted above, *Parulski* discloses that a photo phone requests high resolution data for a larger <u>central</u> image data area (pgph [0066]). There is no indication that the photo phone 12 sends a coordinate of a larger <u>central</u> image data area, and even if it did, one of ordinary skill would reasonably conclude that this coordinate was predefined. There would be no reason for the request sent from the photo phone 12 to include a predefined coordinate of an enlargement reference point, since the user of the photo phone 12 would have no control over this image parameter and the requested image would always be received with respect to the same reference point.

In summary, *Parulski* does not anticipate Applicant's claims because it fails to disclose a request from a portable terminal that contains 1) a coordinate of an enlargement reference point of a thumbnail image, and 2) an enlarging ratio relative to the thumbnail image. In comparison, *Parulski* merely discloses that previously stored image data is retrieved and sent from a service provider upon the service provider receiving a zoom command from a portable phone. Based on the PTO's assertion that a least the enlarging ratio would be predefined, Applicant respectfully submits that an enlarging ratio and a coordinate of an enlarging reference point, for that matter, would be unnecessary. For at least the foregoing reasons, withdrawal of this rejection is respectfully requested.
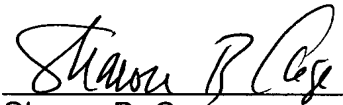
Conclusion

Based on at least the foregoing amendments and remarks, Applicant submits that claims 5, 8, and 13-14 are allowable, and this application is in condition for allowance. Accordingly, Applicants requests a favorable examination and consideration of the instant application. In the event the instant application can be placed in even better form, Applicants requests that the undersigned attorney be contacted at the number below.

Respectfully submitted,

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Date: <u>October 17, 2007</u>   By: _____

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